



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1405

Introduced 2/21/2007, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5 new
10 ILCS 5/9-8.7 new

Amends the Election Code. With respect to campaigns for statewide office and General Assembly member, permits contributions only during the 90 days before the general primary and the 90 days before the general election. During each period, limits a person's or entity's contributions to \$1,000 in the aggregate per officeholder, candidate, or other State political committee. Sets campaign expenditure limits with respect to statewide and General Assembly offices. Creates a committee to review campaign materials before they are distributed; prohibits distribution of materials the committee judges overly inaccurate or negative.

LRB095 07275 JAM 27413 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by adding Sections
5 9-8.5 and 9-8.7 as follows:

6 (10 ILCS 5/9-8.5 new)

7 Sec. 9-8.5. Contribution and expenditure restrictions.

8 (a) As used in this Section:

9 (1) "Election period" means the period beginning on the
10 90th day before a general election and ending on the day of
11 that general election.

12 (2) "Primary period" means the period beginning on the
13 90th day before a general primary election and ending on
14 the day of that general primary election.

15 (3) "State office" means the office of Governor,
16 Lieutenant Governor, Attorney General, Secretary of State,
17 Comptroller, Treasurer, State Senator, and State
18 Representative.

19 (b) A person or other entity may make contributions to the
20 holder of a State office, a candidate for a State office, a
21 political committee organized or authorized to be organized by
22 a State officeholder or State office candidate, or any other
23 State political committee only during the primary period and

1 the election period.

2 (c) A person's or other entity's contributions to a State
3 officeholder and any political committee organized or
4 authorized to be organized by that State officeholder may not
5 exceed \$1,000 in the aggregate during the primary period and
6 \$1,000 in the aggregate during the election period.

7 (d) A person's or other entity's contributions to a
8 candidate for State office, who is not the incumbent
9 officeholder, and any political committee organized or
10 authorized to be organized by that candidate may not exceed
11 \$1,000 in the aggregate during the primary period and \$1,000 in
12 the aggregate during the election period.

13 (e) A person's or other entity's contributions to a State
14 political committee not described in subsection (c) or (d) may
15 not exceed \$1,000 in the aggregate during the primary period
16 and \$1,000 in the aggregate during the election period.

17 (f) A person or entity whose contribution is prohibited by
18 subsection (b), (c), (d), or (e) may not make a contribution to
19 any other person or entity with the intent that the
20 contribution, or any part of the contribution, shall be
21 transferred to the officeholder, candidate, or political
22 committee.

23 (g) The amount of a person's or entity's aggregate
24 contributions in excess of the limits of this Section must be
25 returned promptly to that person or entity.

26 (h) The holder of or a candidate for the office of

1 Governor, Lieutenant Governor, Attorney General, Secretary of
2 State, Comptroller, or Treasurer may not make aggregate
3 expenditures in excess of \$10,000,000 for nomination at the
4 general primary, for election at the succeeding general
5 election, or for both nomination and election. Expenditures
6 made by a political committee organized or authorized to be
7 organized by the holder or candidate are considered
8 expenditures made by that holder or candidate for the purpose
9 of this subsection. The dollar limit of this subsection applies
10 to the holder of any of the listed statewide offices with
11 respect to expenditures relating to any of the listed statewide
12 offices, regardless of whether the holder seeks to succeed
13 himself or herself in office or seeks a different listed
14 statewide office.

15 (i) The holder of or a candidate for the office of State
16 Senator may not make aggregate expenditures in excess of
17 \$750,000 for nomination at the general primary, for election at
18 the succeeding general election, or for both nomination and
19 election. Expenditures made by a political committee organized
20 or authorized to be organized by the holder or candidate are
21 considered expenditures made by that holder or candidate for
22 the purpose of this subsection. The dollar limit of this
23 subsection applies to a State Senator with respect to
24 expenditures relating to re-election to the office of State
25 Senator and not to election to a different office.

26 (j) The holder of or a candidate for the office of State

1 Representative may not make aggregate expenditures in excess of
2 \$500,000 for nomination at the general primary, for election at
3 the succeeding general election, or for both nomination and
4 election. Expenditures made by a political committee organized
5 or authorized to be organized by the holder or candidate are
6 considered expenditures made by that holder or candidate for
7 the purpose of this subsection. The dollar limit of this
8 subsection applies to a State Representative with respect to
9 expenditures relating to re-election to the office of State
10 Representative and not to election to a different office.

11 (10 ILCS 5/9-8.7 new)

12 Sec. 9-8.7. Review of campaign materials.

13 (a) As used in this Section:

14 (1) "Committee" means the State Office Campaign
15 Materials Review Committee established in accordance with
16 this Section.

17 (2) "State office" means the office of Governor,
18 Lieutenant Governor, Attorney General, Secretary of State,
19 Comptroller, Treasurer, State Senator, and State
20 Representative.

21 (b) A State Office Campaign Materials Review Committee is
22 created and shall consist of 5 members appointed one each by
23 the President and Minority Leader of the Senate, the Speaker
24 and Minority Leader of the House of Representatives, and the
25 Illinois Campaign for Political Reform. Members of the

1 Committee shall serve at the pleasure of their appointing
2 authorities and shall receive no compensation but shall be
3 reimbursed for expenses incurred in the performance of their
4 duties from funds appropriated for that purpose. A vacancy on
5 the Committee shall be filled by appointment by the original
6 appointing authority. The Committee shall annually select one
7 of its members to serve as chair. The Committee shall meet at
8 the call of the chair.

9 (c) All campaign materials issued with respect to a
10 campaign for State office must be reviewed by the Committee
11 before distribution. Material judged by the Committee to be
12 inaccurate or overly negative may not be distributed. The
13 Committee by rule shall establish procedures for the
14 implementation and administration of this Section, including
15 but not limited to the adoption of standards of accuracy and
16 limits of negativity for campaign materials.